

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,)
v.)
Plaintiff,)
)
Case No. 1:15-cv-10050-NMG
)
DANIEL THIBEAULT)
GL CAPITAL PARTNERS, LLC)
GL INVESTMENT SERVICES, LLC)
GRADUATE LEVERAGE, LLC (d/b/a GL)
ADVISOR and GL HOLDINGS CORP.)
TAFT FINANCIAL SERVICES, LLC,)
)
Defendants,)
and)
)
SHAWNET THIBEAULT)
GL ADVISOR SOLUTIONS, INC.)
)
Relief Defendants.)
)

FINAL JUDGMENT AS TO RELIEF DEFENDANT GL ADVISOR SOLUTIONS, INC.

WHEREAS, on January 9, 2015, the plaintiff Securities and Exchange Commission (“Commission”) commenced this action by filing a Complaint against relief defendant GL Advisor Solutions, Inc. (“GL Advisor”) and others;

WHEREAS, a summons was issued to GL Advisor on January 12, 2015 (*see* Dkt. No. 13), and a return of service was filed as to GL Advisor on January 15, 2015 (*see* Dkt. No. 20);

WHEREAS, this case was stayed as to relief defendant GL Advisor on March 25, 2015 (*see* Dkt. No. 75) and the stay was lifted on July 15, 2016 (*see* Dkt. No. 130);

WHEREAS, the Commission filed a motion for entry of default against GL Advisor on July 18, 2016 for failure to answer or otherwise appear (*see* Dkt. No. 132);

WHEREAS, in accordance with Fed. R. Civ. P. 55(a), a Clerk's default was entered against GL Advisor on August 25, 2016, (*see* Dkt. No. 149);

WHEREAS, the court accepts as true the factual allegations of the Complaint against relief defendant GL Advisor, who has defaulted, and finds that:

1. The court has jurisdiction over relief defendant GL Advisor pursuant to Section 21(d) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §78u(d)].

2. Relief Defendant GL Advisor received proceeds resulting from unlawful acts and practices of the defendants Graduate Leverage, LLC, Graduate Leverage Investment Services, LLC, GL Capital Partners, LLC, and Taft Financial Services, LLC, under circumstances dictating that it should not be allowed to retain such funds.

WHEREAS, the Commission has applied, pursuant to Fed. R. Civ. P. 55(b)(2), for the entry of this Final Judgment based on relief defendant GL Advisor's failure to answer or otherwise respond to the Commission's Complaint, and the court having considered the prima facie case for relief shown by the Commission's Complaint, the memorandum of law in support of the Commission's motion for default judgment, and the supporting declaration of Rory Alex, which showing has not been rebutted by relief defendant GL Advisor;

NOW THEREFORE, BASED ON THE FOREGOING:

I.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Relief Defendant GL Advisor is liable for disgorgement of \$8,282,436, representing ill-gotten gains received from the defendants as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$644,357, for a total of \$8,929,793. Relief

Defendant shall satisfy this obligation by paying \$8,929,793 to the Securities and Exchange Commission within 14 days after entry of this Final Judgment.

Relief Defendant GL Advisor may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Relief Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center
Accounts Receivable Branch
6500 South MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; GL Advisor as a relief defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

Relief Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Relief Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Relief Defendant.

The Commission shall hold the funds (collectively, the "Fund") and may propose a plan to distribute the Fund subject to the Court's approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the Commission staff determines that the Fund will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The Commission may enforce the Court's judgment for disgorgement and prejudgment interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this Final Judgment. Relief Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. §1961. Note: the post judgment interest rate effective as of the week ending September 16, 2016 is .61% per annum.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all funds and other assets belonging to, held in the name of, or held for the direct or indirect benefit of, GL Advisor that were frozen pursuant to Paragraphs V.A and V.B. of this Court's January 21, 2015 Preliminary Injunction, Order Freezing Assets and Order As To Other Injunctive Relief ("Asset Freeze Order"), and that have not been subject to any order entered by any federal court as a result of proceedings filed by the United States or any department or agency thereof under any federal civil or criminal forfeiture statute, to the extent such order requires the transfer of any asset to the United States government, in accordance with Paragraph V.C of the Asset Freeze Order, shall be paid by any entity holding such funds to the Securities and Exchange Commission in satisfaction of the disgorgement and prejudgment interest awarded by paragraph I of this Final Judgment.

Payment to the Commission may be made by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

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and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; GL Advisor as a relief defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

The Commission shall hold the funds (collectively, the “Fund”) and may propose a plan to distribute the Fund subject to the Court’s approval. The Court shall retain jurisdiction over the administration of any distribution of the Fund. If the Commission staff determines that the Fund will not be distributed, the Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

IV.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: 12/22/16



UNITED STATES DISTRICT JUDGE